

**BOARD OF ENVIRONMENTAL PROTECTION**  
**Meeting Minutes**

August 7, 2003

A meeting of the Board of Environmental Protection was held on Thursday, August 7, 2003, at the Holiday Inn / Ground Round facility in Augusta, Maine. Richard Wardwell, Chair, called the meeting to order at 9:00 a.m. with the following individuals present:

**Board:** Ernest Hilton, Katharine Littlefield, Irving Faunce, Richard Wardwell, Jean T. Wilkinson, and Nancy Ziegler

**Absent:** Melford Pelletier, Virginia Plummer and Matt Scott

**Note:** There is currently one vacancy

**Staff:** Bureau of Land and Water Quality  
Bureau of Land and Water Quality

Judy Gates  
Dana Murch

**Others:** Brooke Barnes, Deputy Commissioner  
Jon Edwards, Assistant Attorney General  
Cynthia S. Bertocci, Executive Analyst  
Terry Hanson, Administrative Assistant

*(Meeting adjourned at approximately 10:30 p.m.)*

**I. DEPARTMENTAL**

**A. COMMISSIONER'S COMMENTS:** Brooke Barnes, Deputy Commissioner reported the following:

BEP membership status: Currently there is one vacancy and three seats up for consideration (a) Melford Pelletier's first term expires in September and Mr. Pelletier has indicated that he is not interested in serving a second term (b) both Rich and Ginnie are eligible for reappointment with Ginnie potentially getting an extension of her first term until reappointment or appointments are made. It is expected that appointments and hearings will be conducted in October on BEP positions.

**B. CHAIRMAN'S COMMENTS:**

The Chair provided a draft schedule for the upcoming hearing regarding China Lake Water level seeking feedback from Board members regarding time allotted for questions of the Board during the hearing.

**C. EXECUTIVE ANALYST COMMENTS:**

The Executive Analyst had nothing to report.

**D. BOARD CALENDAR:**

Reviewed:

**E. DEPARTMENTAL ORDERS:**

Reviewed

**F. EXECUTIVE SESSION:**

None

**II. CONSENT AGENDA ITEMS**

The Board voted (6-0-0-4) to approve the agenda items 1, 2, 3, and 4 with the correction to paragraph number references on page two of all consent agreements.

1. ROBINHOOD MARINE CENTER, INC. Georgetown – Administrative Consent Agreement and Enforcement Order (OC)
2. WASHBURN & DOUGHTY ASSOC., INC., East Boothbay – Administrative Consent Agreement and Enforcement Order (OC)
3. THEODORE LOGAN & SON INC., Portland – Administrative Consent Agreement and Enforcement Order (OC)
4. EXIDE TECHNOLOGIES, INC., Hermon – Administrative Consent Agreement and Enforcement Order (OC)
5. The Board voted (6-0-0-4) to approve as presented for INTERSTATE SEPTIC SYSTEMS, INC., Rockland, Thomaston – Administrative Consent Agreement and Enforcement Order (BRWM)
6. The Board voted (6-0-0-4) to approve the revised order as presented for TOWN OF FORT KENT / Multi-Use Trail.

### **III. Regular Agenda**

1. YOURSAMINE, L.L.C. / Pier, Ramp and Float Construction Denial (ratify appeal decision)  
The Board voted (6-0-0-4) to table the decision to ratify the draft order approving the construction of a private pier for buildings 69 and 70 until the September 4, 2003 regular meeting to ensure that all Board members who participated in the earlier decision may consider the revised draft order. The vote was taken pursuant to 38 M.R.S.A. Section 341 and 06-096 CMR Chapter 2.  
Board members Ernest Hilton, Katharine Littlefield, Irving Faunce, Jean T. Wilkinson, Nancy Ziegler and Richard Wardwell voted to support the motion. Board members Melford Pelletier, Ginnie Plummer and Matt Scott were absent and there is one vacancy.
2. CHINA LAKE  
The Board departed Augusta at approximately 10:30 to conduct a site visit of China Lake.